

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BENITO JEROME BOWIE, JR.,)
)
)
 Plaintiff)
)
)
 vs.) No. CIV-07-886-C
)
)
LT. WARD and OFFICER BROCHARD,)
)
)
 Defendants)

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by the United States Magistrate Judge on November 25, 2008. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and Defendant Ward's Motion to Dismiss is granted in part and denied in part. Plaintiff's claims for denial of medical treatment and racial discrimination are dismissed as against both Defendants. Plaintiff's claim of excessive force remains. Plaintiff is granted an additional thirty days to effect service on Defendant Bouchard.

IT IS SO ORDERED this 16th day of January, 2009.


ROBIN J. CAUTHRON
United States District Judge